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**NOTES OF CASES.**

**WILLS—IDENTIFICATION OF BENEFICIARY.**—The sufficiency of a gift by will to a person not named in the will but whose identity is determined by a letter from the testatrix, is upheld in *Dennis v. Holsapple* (Ind.), 46 L. R. A. 168.

**BURGLARY.**—One who obtained grain from a building by boring an auger hole through the side of the building and taking the grain out through the hole, without himself entering the building, is held in *State v. Crawford* (N. D.), 46 L. R. A. 312, to be guilty of burglary.

**QUALIFICATION FOR JUDICIAL OFFICE—“LEARNED IN THE LAW.”**—To make a person “learned in the law” within the meaning of a constitutional provision prescribing such learning as necessary to make one eligible to be judge, it is held, in *Jamieson v. Wiggin* (S. D.), 46 L. R. A. 317, that he must be admitted to practice, or entitled to be admitted, as an attorney at law in the State.

**INNKEEPERS—BOARDERS.**—Persons staying at a hotel under a contract for a special rate which is given to all who stay longer than a week are held, in *Meacham v. Galloway* (Tenn.), 46 L. R. A. 319, not to be guests for whose property the landlord is an insurer, but to be boarders, for the loss of whose property he is liable only in case of negligence.

**STREET RAILWAYS—PAVING ASSESSMENTS.**—An assessment on a street railway of the expense of paving the space occupied by the roadbed and tracks and for a distance of two feet from each side, is upheld in *Shreveport v. Prescott* (La.), 46 L. R. A. 193. With this case is an extensive note on the liability of a street railway for paving assessment.

**PRACTICE OF MEDICINE—“OSTEOPATHY.”**—The system of rubbing and kneading the body commonly known as “osteopathy” is held, in *State v. Liffring* (Ohio), 46 L. R. A. 334, not to be an agency, within the meaning of a statute regulating the practice of medicine, which forbids the prescribing of any “drug or medicine or other agency” for the treatment of disease by a person who has not obtained a certificate of qualification.

**MASTER AND SERVANT—SERVANT’S RIGHT OF RECOVERY FROM OTHERS THAN MASTER.**—An injury to a railroad track inspector by an iron pin thrown off from a tender on a train run by a company other than his employer, while he was standing more than ten feet from the track, is held, in *Cleveland C. C. & St. L. R. Co. v. Berry* (Ind.), 46 L. R. A. 33, to give him no right of action against the owner of the train without showing its negligence. With this case is a note which at great length discusses the right of a servant to recover damages from persons other than his master for injuries received in the performance of his duties.